

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

UBS DEUTSCHLAND AG as successor in
interest to Dresdner Bank LateinAmerika AG,
and LGT BANK (SWITZERLAND) LTD. as
successor in interest to Dresdner Bank (Schweiz)
AG,

Defendants.

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

Civil Action No. 12-cv-_____

Adv. Pro. No. 12-01577 (BRL)

MOTION TO WITHDRAW THE REFERENCE

TO THE UNITED STATES DISTRICT COURT
OF THE SOUTHERN DISTRICT OF NEW YORK:

PLEASE TAKE NOTICE that, upon the accompanying Memorandum in Support of UBS Deutschland AG's Motion to Withdraw the Reference, dated December 21, 2012; the Declaration of Gabriel Herrmann in Support of UBS Deutschland AG's Motion to Withdraw the Reference, dated December 21, 2012, and exhibits thereto; and all the papers filed and

proceedings had herein, defendant UBS Deutschland AG (“UBS Deutschland”) will move the United States District Court for the Southern District of New York – at a date and time to be determined by the Court – for an order, pursuant to 28 U.S.C. § 157(d), Rule 5011 of the Federal Rules of Bankruptcy Procedure, and Rule 5011-1 of the Local Rules of the United States Bankruptcy Court for the Southern District of New York, withdrawing the reference to the United States Bankruptcy Court for the Southern District of New York of the above-captioned adversary proceedings for the limited purpose of permitting UBS Deutschland to join in pending proceedings concerning certain issues certified for consolidated briefing before the Honorable Jed S. Rakoff of the United States District Court for the Southern District of New York.

UBS Deutschland has made no prior request to this Court or to any other court for the relief requested by this Motion.¹

¹ UBS Deutschland submits this Motion to Withdraw the Reference without prejudice to, and without waiver of, any rights, arguments or defenses it might have at law or in equity including, without limitation, defenses based on lack of subject matter or personal jurisdiction.

Dated: New York, New York
December 21, 2012

Respectfully submitted,

GIBSON, DUNN & CRUTCHER LLP

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